

JAP7 Rec'd OCT/PTO 07 FEB 2006

ATTORNEY'S DOCKET NUMBER

5100-000032/US

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/567372

EXPRESS MAIL LABEL NO.

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/BE2004/000112	August 4, 2004	August 8, 2003

TITLE OF INVENTION

DEVICE FOR TREATING NIGHTTIMEBREATHING PROBLEMS

APPLICANT(S) FOR DO/EO/US

Jozef Frans NELISSEN

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
- This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
- This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39 (1).
- The US has been elected by the expiration of 19 months from the priority date (Article 31).
- A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - is transmitted herewith (required only if not transmitted by the International Bureau).
 - has been transmitted by the International Bureau.
 - is not required, as the application was filed in the United States Receiving Office (RO/US).
- An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - is transmitted herewith.
 - has been previously submitted under 35 U.S.C. 154(d)(4)
- Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
 - are transmitted herewith (required only if not transmitted by the International Bureau).
 - have been transmitted by the International Bureau.
 - have not been made; however, the time limit for making such amendments has NOT expired.
 - have not been made and will not be made.
- An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
- An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 20. below concern document(s) or information included:

- An Information Disclosure Statement under 37 CFR 1.97 and 1.98-1449, International Search Report (PCT/ISA/210 and PCT/ISA/220) in English and PTO Form 1449
- An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
- A **FIRST** preliminary amendment.
- A **SECOND** or **SUBSEQUENT** preliminary amendment.
- A substitute specification.
- A change of power of attorney and/or address letter.
- A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.
- A second copy of the published international application under 35 U.S.C. 154(d)(4).
- A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- Other items or information: Formal Drawings; Article 19 Amended Sheets

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U.S. APPLICATION NO (if known, see 37 CFR 1.5) NEW	INTERNATIONAL APPLICATION NO PCT/BE2004/000112	ATTORNEY'S DOCKET NUMBER 5100-000032/US		
21. <input checked="" type="checkbox"/> The following fees are submitted:		CALCULATIONS PTO USE ONLY		
PCT FEES – NATIONAL STAGE:				
<u>Fee Code</u>	<u>Description</u>	<u>Fee</u>		
1631	Basic National Stage Fee.....	\$300.00		
1632	National Stage Search Fee.....	\$400.00		
1633	National Stage Examination Fee.....	\$200.00		
		\$ <u>900.00</u>		
ENTER APPROPRIATE FEE AMOUNT = Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 Months from the earliest claimed priority date (37 CFR 1.492(e)).		\$ <u>130.00</u>		
<u>PAGES</u>	<u>PAGES FILED</u>	<u>EXTRA PAGES FILED IN 50 PAGE SEGMENTS</u>	<u>RATE</u>	
Total Pages	<u>18 - 100 = 0</u>	-1	X	\$ <u>0.00</u>
<u>CLAIMS</u>	<u>NUMBER FILED</u>	<u>NUMBER EXTRA</u>	<u>RATE</u>	
Total Claims	<u>13 - 20 =</u>	0	X <u>50.00</u>	\$ <u>0.00</u>
Independent Claims	<u>1 - 3 =</u>	0	X <u>200.00</u>	\$ <u>0.00</u>
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ <u>360.00</u>	\$ <u>0.00</u>
TOTAL OF ABOVE CALCULATIONS =		\$ <u>1,030.00</u>		
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.		\$ <u>515.00</u>		
SUBTOTAL =		\$ <u>515.00</u>		
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 Months from the earliest claimed priority date (37 CFR 1.492(f)).		\$ <u>—</u>		
TOTAL NATIONAL FEE =		\$ <u>515.00</u>		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +		\$ <u>—</u>		
TOTAL FEES ENCLOSED =		\$ <u>515.00</u>		
		<u>Amount to be: refunded</u>	\$ <u>—</u>	
		<u>charged</u>	\$ <u>—</u>	
<p>a. <input checked="" type="checkbox"/> A check in the amount of <u>\$515.00</u> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. 08-0750 in the amount of \$ <u> </u> to cover the above fees. A triplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>08-0750</u>.</p>				
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.				
Send all correspondence to: Harness, Dickey & Pierce, P.L.C – Customer No. 30593 Post Office Box 8910 Reston, Virginia 20195				
Date: February 7, 2006				
By  Donald J. Daley, #34,313				
DJD:dpg				

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PATENT

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant(s): Frans Jozef NELISSEN

Int'l Application No.: PCT/BE2004/000112

Application No.: NEW APPLICATION

Filed: February 7, 2006

For: DEVICE FOR TREATING NIGHTTIMEBREATHING
PROBLEMS

LETTER

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314
Mail Stop PCT

February 7, 2006

Sir:

Amended claims are attached hereto (which correspond to Article 19 amendments or to claims attached to the International Preliminary Examination Report), as required by 35 U.S.C. § 371(c)(3). The Article 19 amended claims are incorporated in the included Preliminary Amendment.

Respectfully submitted,

HARNESS, DICKEY & PIERCE, P.L.C.

By: 
Donald J. Daley, Reg. No. 34,313

DJD:dpg

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